

UNITED STATES OF AMERICA,  
Plaintiff,  
vs.  
MARCUS RICHARD THOMAS,  
Defendant.

## ORDER

The Government requests that the Court strike Defendant's Notice of Assertion of Right to be Present in Court Unshackled (ECF No. 19) as improperly filed. The Court construes Defendant's filing as a notice of an assertion of his right to not be shackled or placed in other physical restraints during any pretrial hearing. Trial is set for September 12, 2017. This matter is not set for hearing on any pretrial motions. The Court, therefore, denies the Government's motion as premature. Accordingly,

DATED this 14th day of August, 2017.

*George Foley Jr.*  
GEORGE FOLEY, JR.  
United States Magistrate Judge